

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

BLACK LOVE RESISTS IN THE RUST, *et al.*,
individually and on behalf of a class of all others
similarly situated,

Plaintiffs,

v.

CITY OF BUFFALO, N.Y., *et al.*,

Defendants.

No. 1:18-cv-00719-CCR

DECLARATION OF JOSEPH BONDS

Joseph Bonds declares, under penalty of perjury and pursuant to 28 U.S.C. § 1746:

1. I am Joseph Bonds, a 68-year-old Black man. I am one of the Plaintiffs in this action.
2. I make this declaration in support of Plaintiffs' Opposition to Defendants' Motion for Summary Judgment.
3. I am a resident of Buffalo, and I have lived there my entire adult life, except for the eight years when I served in the U.S. military.
4. I am a minister at the House of Prayer for All People in Buffalo, a security guard at Unicell Truck Company, and a former construction worker. I currently reside in Western New York Veterans Association housing on Adams Street. I used to reside in the BMHA Marine Drive Apartments in downtown Buffalo.
5. I encountered Buffalo Police Department's ("BPD") Checkpoints on two occasions, each time on Buffalo's East Side. I have also seen Checkpoints operated on the West

Side in areas where Black people and other people of color live. I never saw any Checkpoints in majority white neighborhoods.

6. In the fall of 2016, I encountered a BPD Checkpoint on William Street and South Ogden Street on the East Side of Buffalo. I had just left church with my son, wife, and granddaughter, and we were heading to Walmart around 9 p.m. that night in my Cadillac.

7. The police gave no advance warning of the Checkpoint, so I was caught off guard. There were no lights, signs, or flares. Even the lights on their patrol cars were turned off.

8. But I saw officers stopping motorists who were traveling across the street from me in the opposite direction. When I tried to drive past, the officers who were operating the Checkpoint stopped me suddenly. They left the Checkpoint area across the street, put their sirens on, and a patrol car came to the side of me, while another patrol car went behind me. There were four officers in total who pulled me over.

9. Two of the four officers approached my car. They were both white male officers. They shined their flashlights into my vehicle and asked me intrusive questions about where I was coming from and where I was going. The officers then informed me that my insurance was expired.

10. I showed the officers the receipt of payment I had made to my insurance company earlier that day, but they still issued me a ticket for expired insurance and told me to go to the BTVA to argue with a judge about resolving my tickets.

11. This stop lasted about ten minutes.

12. I went to the BTVA and presented proof of insurance. None of the officers who were present at the Checkpoint appeared in court. The ticket for expired insurance was ultimately dismissed.

13. I have always felt like that stop only happened because of the type of car I drove, my race, and my son's race. I wasn't violating any traffic laws, so the officers didn't have any reason to stop me, especially since I made sure to pay my insurance earlier that day.

14. I think the officers first got suspicious of me because I was driving a Cadillac at night. The BPD has been known to associate Cadillacs with criminals and drug dealers because they assume that you must be doing something illegal to afford the car if you live in a low-income area. I do not believe I would have been stopped if I was in a regular, inexpensive car.

15. I was confused about why there were four officers in two patrol vehicles pulling me over for a regular traffic stop. It made me feel like the officers believed we were criminals and that they would need back up. When they approached our vehicle and saw my son and I, they then questioned us about our whereabouts, which also made me feel like they believed we were involved in some type of criminal activity. This further confused me because we were a family coming from church and dressed in suits.

16. My son, who is also Black, was about six feet, two inches tall, around two hundred and eighty pounds, and either sixteen or seventeen years old at that time. He was sitting in the front seat of my car. I believe that based on my son's appearance, officers likely thought he was a drug dealer or up to some other criminal activity since he appeared to be a big Black man sitting in a Cadillac.

17. I felt anxious about this encounter because my family was in the vehicle with me, and I felt like we were being racially profiled and targeted for not being in the "right" neighborhood.

18. In August of 2017, a BPD officer stopped me at a BPD Checkpoint on Jefferson Avenue and Carlton Street, off the 33 Expressway in the Fruit Belt area of the East Side of Buffalo.

19. Immediately after exiting the Expressway and making a left turn on Jefferson Avenue, I ran into an unavoidable Checkpoint. I saw between ten and twelve patrol cars lined up along the street and several officers standing outside their vehicles. I was not able to tell that the Checkpoint was there until after making the turn on Jefferson Avenue.

20. While going through the Checkpoint, I observed officers checking vehicles' registration and inspection stickers and looking for other visible violations. The BPD officers pulled some people over and let others go. I also observed officers giving out tickets.

21. When a white male officer stopped me, the officer checked my registration and inspection sticker. At that time, I noticed two or three other cars in line behind me, waiting to be checked, and about ten cars on the service road off Jefferson Avenue, where the officers directed cars to pull over. I could see the people who were pulled over and they were all Black. I did not see any white people at the Checkpoint.

22. The officers did not find any violation, and did not issue me any tickets.

23. I felt fear and anxiety being subjected to these Checkpoints in general because I had not done anything to warrant these interactions with the BPD other than being on the East Side of Buffalo. Police in Buffalo tend to be unpredictable based on their mood, and I feared being taken out of the safety of my car. Being racially profiled by Buffalo police has caused me to be hypervigilant in my driving routine.

24. I stopped driving at night to try to avoid having to go through Checkpoints or encounter police officers because I found them to be impeding my daily life and violating my

rights. I have found that specifically at night, officers assume everyone on the East Side is doing something wrong, so I feel like more of a target for racial profiling at night.

25. Unless I am going to my job, I no longer drive at night. I intentionally take a safe route between home and work to avoid Buffalo police. I tend to stay on side streets, even though that adds time to my commute because the officers are usually on the main streets.

26. I have had other negative experiences with BPD's ticketing practices while my car was parked at my residence, in a private parking lot.

27. I paid for a tag to park in the BMHA parking lot and ensured it was valid. In 2019, my car remained parked, and I did not use it because it did not have a current inspection sticker. At the time, I could not afford to pay for the required repairs within the ten-day period they allow to fix violations. Because of that, although I routinely got my car inspected, it failed inspection.

28. While my car was parked, BPD repeatedly issued tickets, many times wiping off snow from my windshield to place the ticket. I received tickets on October 26, 2018, January 7, 2019, January 19, 2019, and twice on January 27, 2019.

29. One of the two tickets I received on January 27, 2019 was issued for not having a parking pass, which I did. I went to City Hall, showed proof of my pass, and that ticket was dismissed. While I challenged all the other tickets, none of those challenges were successful.

30. I received so many tickets parked at my BMHA residence that I eventually had to sell my car because I could not afford to pay for the tickets or to keep my car in a private garage to avoid getting more tickets.

31. I paid about \$1,000 to resolve all of my tickets. This was almost as much as I spent purchasing my car from a friend, as my car cost about \$1,500. Because I had to spend all that money on tickets, I was not able to use that money for other necessities I had at the time.

32. I believe this repeated and excessive ticketing was racially motivated because the ticketing occurred within the BHMA housing complex which I believe was majority Black and people of color. I did not see many white people in the BHMA housing while I lived there. My car was also a usual target for police officers because it was a car associated with criminal activity. I also spoke to other people of color in the complex who were also experiencing excessive tickets.

33. I had a recent traffic stop on March 17, 2025, around 10:30 p.m. The stop happened on the private property of my place of employment at 571 Howard Street. As I drove through the entrance gate into the parking lot of my job, I started to exit my car. A BPD patrol vehicle followed me onto the property and pulled up behind me with lights on. Two white officers approached my vehicle, and one asked me if I worked there. I was surprised by the question because I was in uniform and on private property, but I told the officer that I do work there.

34. The officer then stated that my insurance was expired but then acknowledged that he could see that I now had an active insurance policy with Progressive. He took my license and when he returned, he informed me that it was suspended. He handed me seven tickets with no other explanation and left.

35. I received the following tickets: 1) Operating a vehicle with suspended or revoked license or registration; 2) Operating while registration is suspended or revoked; 3) Failure to surrender license and registration plate; 4) Failure to surrender license and registration plate; 5)

Aggravated unlicensed operations; 6) Unlicensed operator; and 7) Unregistered motor vehicle. Five of these tickets were listed as misdemeanor offenses.

36. My court date was scheduled for April 17, 2025 at Buffalo City Court, and the court ruled to dismiss my tickets.

37. I noticed that the tickets included the incorrect location of the stop. The officer indicated that he stopped me at Howard Street and Lewis Street. However, I was stopped in the parking lot which is located on Howard Street and Newell Street, a block away from Howard and Lewis.

38. I believe that these tickets were excessive. My insurance lapsed for a little over a month, between the end of December 2024 to early February 2025, because my rent went up by \$300. I could no longer afford my insurance because of this rent increase. I searched for a more affordable option and once I found that, I reactivated my insurance. As of February 7, 2025, I have an active insurance policy with Progressive.

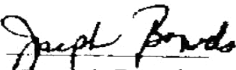
39. While I was notified of the license and registration suspension due to the insurance lapse, I only drove out of necessity because I still needed to go to work and take my granddaughter to and from school.

40. I contacted the DMV and was informed that I could pay a fine and get a conditional license during the period my license is suspended to go to work and transport my granddaughter to and from school. I intend to get this conditional license shortly and follow through on the additional steps to reinstate my driver's license.

41. Since selling my car, I bought a new car and resumed driving in the City of Buffalo daily to drop off and pick up my granddaughter from school, to go work and to the grocery store, and run other errands. and plan to continue to do so once I reinstate my license.

42. I continue to fear unjustified stops and ticketing by BPD officers. Unless BPD policies change, they can restart the Checkpoints at any time. And even without the Checkpoints, they still do some of the same racial profiling in their regular traffic stops like my recent stop shows.

Dated: April 24, 2025


Joseph Bonds